

## **REMARKS**

Claims 4 – 9, 11 – 12 and 15 – 24 are pending in this application.

Claims 1 – 3, 10 and 13 – 14 have been canceled.

Claims 4 – 9, 11 – 12 and 15 – 16 have been withdrawn from consideration.

Claims 17 – 24 are actively being prosecuted.

Claims 17 – 21 have been rejected.

### **Amendments to the Specification**

The reference to the related application at the first paragraph of the specification has been amended merely to insert the patent number of the related application, which has since issued. No new matter has been added.

### **Amendments to the Claims**

Claim 17 has been amended to recite “sensing signals along two distinct sensing pathways” (line 5) “wherein a first determination criterion is applied for signals sensed along a first sensing pathway of the two distinct sensing pathways, and a second determination criterion is applied for signals sensed along a second sensing pathway of the two distinct sensing pathways (lines 12 – 15). Sensing pathways are supported in the specification, for example, on page 15, lines 15 – 18, and from page 15, line 33, through page 16, line 3. First and second determination criteria along differing pathways is supported in the specification from page 16, line 20, through page 17, line 29, and in reference to Figures 7a – 7c and Figure 8. No new matter has been added.

New claims 22 – 24 recite methods of distinguishing lead-related conditions in a medical device. Support for new claims 22 – 24 can be found in the specification, for example, on page 15, lines 15 – 18, from page 15, line 33, through page 16, line 3, from page 16, line 20, through page 17, line 29 and in reference to Figures 7a – 7c and Figure 8. No new matter has been added.

## **Rejections Under 35 USC § 102**

Claims 17-21 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 5,814,088 to Paul ("Paul '088"). These rejections, over the claims as amended, are respectfully traversed.

Independent claim 17, as amended, sets forth sensing signals along two distinct sensing pathways, and processing collected data in accordance with an algorithm having an integrated set of rules to determine if a lead status event has occurred, wherein each rule of the set applies a specific determination criterion to a particular aspect of the collected data, and wherein a first determination criterion is applied for signals sensed along a first sensing pathway of the two distinct sensing pathways, and a second determination criterion is applied for signals sensed along a second sensing pathway of the two distinct sensing pathways.

Paul '088 teaches comparing lead impedance to maximum and minimum impedance limits and generating an alarm when the impedance of the lead crosses one of the limits. Paul '088 does not teach sensing signals along two distinct sensing pathways, and processing collected data in accordance with an algorithm having an integrated set of rules to determine if a lead status event has occurred, wherein each rule of the set applies a specific determination criterion to a particular aspect of the collected data, and wherein a first determination criterion is applied for signals sensed along a first sensing pathway of the two distinct sensing pathways, and a second determination criterion is applied for signals sensed along a second sensing pathway of the two distinct sensing pathways, as set forth in independent claim 17 of the present invention. It is respectfully submitted that independent claim 17 and claims 18-21 dependent thereon are patentably distinguishable from Paul '088. Accordingly, withdrawal of the rejections is respectfully requested.

### **New Claims Added**

New claims 22-24 have been added. It is respectfully submitted that new claims 22 – 24 are patentable over Paul '088. Allowance of new claims 22-24 is respectfully requested.

### **Summary**

In view of the amendments and arguments presented, claims 17 – 24 should be allowable, this application should be in condition for allowance and a notice to that effect is earnestly solicited.

If there are any formal matters remaining after this Amendment, the Examiner is requested to telephone the undersigned attorney to attend to those matters.

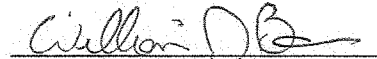
### **Correspondence**

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Respectfully Submitted,

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